

## **REMARKS**

Claims 1-22 are all the claims pending in the application. Applicants graciously acknowledge that claims 4-5, 12-13, and 19-20 are objected as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, claims 4, 12, and 19 have been amended by rewriting them in independent form to place them in immediate condition for allowance. Claims 1-3, 6-11, 14-18, and 21-22, stand rejected on prior art grounds. Claims 1, 4, 9, 12, 16, and 20 are amended herein. Additionally, the specification, abstract, and drawings are amended to make them consistent with the claims and with one another.

Moreover, this amendment is being made, in part, based on a telephonic interview between the Examiner and the undersigned attorney on June 17, 2005, in which the various claim changes and prior art were discussed. Agreement was reached during the telephonic interview that the proposed amended language, as provided in this amendment, satisfactorily overcome the prior art rejections in the Office Action of May 12, 2005. Applicants respectfully traverse the rejections based on the following discussion.

### **I. The Prior Art Rejections**

Claims 1-2, 6-11, 14-17, and 21-22 stand rejected under 35 U.S.C. §102(b) as being anticipated by Matsunaga et al., (U.S. Patent No. 6,559,548), hereinafter referred to as “Matsunaga”. Claims 3 and 18 stand rejected under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as being obvious over Matsunaga. Applicants respectfully traverse these rejections based on the following discussion.

Matsunaga teaches a wiring layer that is covered with a first organic SOG layer, a

reinforcement insulating layer consisting of a silicon oxide film or a silicon nitride film formed by means of a plasma CVD method, and a second organic SOG layer, in this order. A via hole is formed in the first organic SOG layer and the reinforcement insulating layer, and a trench is formed in the second organic SOG layer to correspond to the via hole. A conductive via plug and an electrode pad are embedded in the via hole and the trench, respectively. The second SOG layer is covered with a passivation layer in which a through hole is formed to expose the electrode pad. A wire is connected to the exposed electrode pad in the through hole.

However, the claimed invention, as provided in amended independent claims 1, 9, and 16, include features, which are patentably distinguishable from the prior art references of record. Specifically, claim 1 recites, in part, “...a first structure formed within said substrate, said first structure having an upper surface; and a stress diverting structure proximate said first structure and within said first layer....” Similarly, claim 16 recites, in part, “...forming a first structure within said substrate, said first structure comprising an upper surface; and forming a stress diverting structure proximate said first structure and within said first layer....” Additionally, claim 9 recites, in part, “...a shield configured over said active device region and within said filler layer....” As agreed to by the Examiner during the aforementioned telephonic interview, Matsunaga does not teach or render obvious these features, and as such, amended claims 1, 9, and 16 are patentable over Matsunaga.

Moreover, Applicants have amended the specification, abstract, and drawings to make them consistent with the amended claimed language. Applicants note that all claims are properly supported in the specification and accompanying drawings as originally filed, and no new matter is being added to the specification or drawings. Rather, the changes to the specification, abstract,

and drawings are being made for consistency purposes only. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections.

## **II. Formal Matters and Conclusion**

The specifications, abstract, drawings, and claims have been amended to make them consistent with each other. A Replacement Sheet for Figure 13 is submitted herewith. With respect to the rejections to the claims, the claims have been amended, above, to overcome the rejections. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections to the claims.

In view of the foregoing, Applicants submit that claims 1-22, all the claims presently pending in the application, are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary. Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 09-0456.

Respectfully submitted,



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